



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



September 25, 2007

Bruce W. McClendon FAICP
Director of Planning

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Van Wert, Inc.
515 South Figueroa Street, 7th Floor
Los Angeles, California 90071
Attention: Roger Van Wert

RE: **PROJECT NO: R2005-01996-(5)**
CONDITIONAL USE PERMIT NO: 200500118-(5)

Dear Applicant:

The Regional Planning Commission, by its action of September 12, 2007, **APPROVED** the above described conditional use permit.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Contact the Executive Office for the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within 14 days after this notice is received by the applicant.

If no appeal is made during this 14-day period, the Regional Planning Commission action is final. Upon completion of the 14-day appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP, Director of Planning

Mark Child, AICP
Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)
cc: Board of Supervisors; Department of Public Works (Building and Safety); Zoning Enforcement

MC:AG
Hearing Footage: September 12, 2007 - 736

**PROJECT NO. R2005-01996-(5)
CONDITIONAL USE PERMIT 200500118-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE:
September 12, 2007

SYNOPSIS:

The applicant is requesting a Conditional Use Permit to construct, operate and maintain a 28 unit senior apartment complex in the C-1-DP (Restricted Business - Development Program) zone. The project is composed of two, three-story buildings with at grade parking. The subject property is located at 8946 and 8950 Duarte Road in the community of East Pasadena- East San Gabriel in the South Santa Anita - Temple City Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:

September 12, 2007 Public Hearing

A duly noticed public hearing was held on September 12, 2007 before the Regional Planning Commission. Commissioners Valadez, Bellamy and Rew were present. Commissioners Helsley and Modugno were absent. The applicant's representative, Mr. Roger Van Wert presented testimony in favor of the request and answered questions presented by the Commission.

Mr. Van Wert stated that the proposed project would be a less intense use than the previously approved 18,000 square foot office building that was previously proposed and approved for this site. Additionally, Mr. Van Wert stated that an open house was held on August 28th and that subsequently the applicant volunteered to make several changes to the project as a result of resident input. These changes included changing the proposed height of the C.M.U wall to eight feet instead of six feet, If, feasible save the mature pine tree at the northwest corner of the property and provide additional trees on the southwest corner of the property to provide screening for residents.

Mr. Mark Briskie and Ignacio Cano commented in opposition to the request. Comments included concerns over location of the trash receptacle too close to residents, parking availability and increased traffic.

Mr. Fred Wu presented a petition with 15 signatures in opposition to the request. Concerns stated in the petition included opposition to the number of parking spaces provided, concern of increased auto traffic due to project, concern of air pollution and pedestrian safety, noise pollution and overall agreement with the neighborhood characteristic.

Changes to the findings and conditions included the following: 1) that height of the wall be changed from 6" to 8" foot along the westerly side-yard property line that abuts the single family homes; 2) lighting to be directed away from surrounding residences; 3)

applicant agrees to relocate trash receptacle away from surrounding residences subject to approval of Director's Review; 4) provide a landscape plan to save as many trees on site as possible and to add additional trees at the southwest corner of the property. New trees planted should be 24" box or larger; 5) add condition requiring the retention of the mature pine tree at the northwest corner of the subject property, if feasible or the provision of evidence satisfactory to the Director's Review, as evidenced by the tree not being located partially within the public right of way or the project driveway; and 6) modified Condition No. 11 to reflect permittee shall remit a processing fee to Fish & Games.

There being no further testimony, the Regional Planning Commission closed the public hearing and approved the permit with changes to the findings and conditions as agreed to by the applicant, including agreeing to relocate the trash storage.

Findings

1. The applicant is requesting a Conditional Use Permit to construct, operate and maintain construct a 28 unit, three story, senior citizen apartment building on a total of 29,022 square feet of property. The proposed project is composed of two, three story buildings with a unit mix of 17 one bedrooms, 8 two bedrooms, and 3 studios. This project is located within the East Pasadena – San Gabriel Community Standards District (CSD).
2. The subject property encompasses two parcels at 8946 - 8950 Duarte Road, and Assessor's Parcel Numbers 5381001011 and 5381001047. The subject property is located on the south side of Duarte Road, between Rosemead Boulevard and Sultana Avenue, in the South Santa Anita - Temple City zoned district.
3. The 0.66 acre subject property is developed with one single-family dwelling.
4. Zoning on the site is C-1-DP (Restricted Business with a Development Program). Pursuant to Section 22.40 Part 2, if a conditional use permit has been obtained, property in Zone ()-DP may be used for any use permitted in the basic zone subject to the conditions and limitations of the conditional use permit, including an approved development program. Residential uses are allowed in the C-1 zone with a conditional use permit.
5. The surrounding properties are zoned as follows:

North:	Commercial uses C-1 (Restricted Business)
South:	Multi-family residences R-3 (Limited Multiple Residence)
East:	Commercial businesses including gas station and car wash C-1 (Restricted Business)
West:	Residential single-family residences R-A (Residential Agricultural)

6. Surrounding land uses within 500' include:

North:	Single-family and multi-family residences, commercial
South:	Single-family and multi-family residences
East:	Single-family residences
West:	Single-family and multi-residences, gas station

7. Previous cases filed on the subject property include Zone Changes 164, 5772 and 4229 and Conditional Use Permit 01-164.

- ZC01 -164 - (5) and CP01-164-(5) were concurrently approved by the Board of Supervisors on October 29, 2002 for a conditional use permit to construct, operate, and maintain an 18,000-square-foot two-story office building and a change in zoning on the subject property from R-3-35U (Limited Multiple Residence, 35 units maximum), P (Parking), and C-1 (Restricted Business) to C-1-DP (Neighborhood Commercial, Development Program).
- ZC 5772 was approved for western property (8946 Duarte Road) in April of 1972 for a zone change from R-A (Residential -Agricultural) to R-3 -35U (Limited Multiple Residence with a restriction of 35 units per net acre)
- ZC 4229 was approved for eastern property (8950 Duarte Road) in May of 1962 for a zone change to C-1 & P (Restricted Business with a parking zone)

8. The subject property is designated as "3" or Medium Density Residential in the Los Angeles County General Plan. This designation allows for multiple unit development including garden apartments and multi-plex development in addition to high density townhouse developments. This land use designation allows for 12 to 22 dwelling units per acre.

9. According to the County of Los Angeles General Plan, Land use Element more concentrated urban development for residential infill projects is supported. As stated in the general plan, "new residential development within existing urban areas not covered by a more detailed local plan may be permitted at densities exceeding those depicted on the Land Use Policy Map," provided that the applicant meet several criteria. The applicant has responded to these criteria in that the proposed project will not adversely affect the character of the community and the project site is of sufficient size to accommodate the building design. The project site is 29,021 square feet with a proposed building footprint of 11,530 with a total living space of 22,087 square feet. Landscaping will cover approximately 23% of the property, including a 27 foot landscaped front yard setback. The project meets all other criteria to allow exceeding density depicted in Land Use Policy Map.

10. The site plan submitted by the applicant depicts the proposed senior apartment building with two three story buildings on two tied lots fronting Duarte Road, with a vehicular access off of Duarte Road. The buildings range in height, reaching a maximum height of 33 feet 9 inches. The massing of the building is concentrated on the eastern portions of the properties

The unit mix is shown as 3 studios, 17 one bedrooms and 8 two bedrooms with 30 at grade parking spaces. The A portion of the resident parking is shown as being covered with two floors of apartments above. Landscaping covering approximately 23% of the project site, a majority of the open space concentrated along the street frontage as well as in the interior corridor. A six foot concrete wall, replacing the existing block wall is shown along the perimeter of the building along the southern, eastern, and western boundaries.

11. The applicant requested modifications to the following provisions of Title 22:
 - Section 22.44.135 – for structures exceeding 17 feet in height and are located on a lot or parcel of land adjacent to a residential zone the maximum height of the structure at five feet from the property line adjacent to the residential zone shall be set back an additional floor for every additional foot in height.
12. The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
13. A total of 374 public hearing notices were mailed out to property owners within 1,000 feet of the subject property on August 7, 2007 regarding the subject request. The notice was published in the San Gabriel Valley Tribune and La Opinion newspapers on August 2, 2007. Case-related material, including the hearing notice, factual and burden of proof were available on or before August 7, 2007 at the Temple City County Library located at 5939 Golden West Avenue. According to the applicant, the hearing notice was posted on the property for 30 days prior to the public hearing.
14. Six letters in opposition were received to the request. Concerns stated in the letters included increased traffic in relation to the new development and opposition to number of stories of the proposed complex. Three neighborhood residents commented in opposition to the request. Comments included concerns over location of the trash receptacle too close to residents, parking availability and increased traffic. A petition with 15 signatures in opposition to the request was received. Concerns stated in the petition included opposition to the number of parking spaces provided, concern of increased auto traffic due to project, concern of air pollution and pedestrian safety, noise pollution and overall agreement with the neighborhood characteristic.

15. The Commission recognizes the precedent setting nature of this development for the surrounding area with respect to height and mass but finds that the project is consistent and compatible with current and future development trends. The location proposed is suitable for this type of development.
16. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.090 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis on the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopts the Negative Declaration.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200500118 -(5) is APPROVED subject to the attached conditions.

1. This grant authorizes the construction, operation, and maintenance of a residential development, to consist of 28 senior dwelling units with at grade parking, consisting of 11,530 sq feet of residential space, as depicted on the approved Exhibit "A", subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8 and until all required monies have been paid pursuant to Conditions No. 10, 11, and 12; and
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

6. This grant shall expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing with the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder and a recorded copy be provided to the Director of Planning. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. **This grant shall terminate on June 14, 2047.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this grant, whether or not any modification of the use is requested at that time.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$3,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the site plan on file. The fund provides for **twenty (20) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. A processing fee shall be remitted to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not de minimus in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code. The current total fee amount is \$1,850.00
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. In the event that the county deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the county for all costs incurred in such proceedings.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said bureau.
15. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
16. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
17. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous marking occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such marking shall be of a color that matched, as closely as possible, the color of the adjacent surfaces.

18. File and record a covenant and agreement to hold the parcels as one. Submit a copy of the document to be recorded for review and approval. Upon recordation, an official copy of the recorded covenant and agreement shall be provided to the Director.
19. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, five (5) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
20. Within ninety (90) days of the approval date adherence to development in accordance with the site plan on file of this grant, the permittee shall submit to the Director for review and approval five (5) copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described above. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The permittee shall maintain all landscaping in a neat, clean and healthy condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover.
21. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, three (3) copies of a lighting plan. All exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off after 9 p.m., with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading throughout the complex.
22. Within ninety (90) days of the approval date of the grant, the permittee shall submit for review and approval by the Department of Regional Planning and County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation in the office of the County Recorder, providing that the residential occupancy of the development be limited to a senior citizens housing development for the lifetime of the facility. The covenant shall also set forth all of the requirements under state and federal fair housing laws to qualify it for treatment as a "housing for older persons," as defined in those state and federal laws. Said document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded prior to the issuance of a building permit.

23. A minimum of 18 parking spaces shall be provided on-site. At least one (1) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided.
24. In the event the units are no longer restricted to occupancy by senior citizens, the permittee shall develop the on-site parking spaces needed to bring the use and/or occupancy of the property in to conformance with Chapters 22.52 and 22.56 of the County Code.
25. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works memorandums dated March 16, 2006 and December 1, 2005 except as otherwise required by said Department.
26. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Fire Department memorandum dated April 10, 2007, except as otherwise required by said Department.
27. Pursuant to Chapter 22.72 of the County Code, the permittee shall pay a fee to the County of Los Angeles Public Library prior to the issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.
28. Pursuant to Chapter 22.44.135 of the County Code, the permittee shall ensure that all exterior lighting shall be of top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works determines that a different street lighting configuration is required for the protection of public health and safety. Lighting shall be directed away from surrounding residences.
29. The height of the western perimeter wall be eight feet in height, plans shall be subject to approval by the Director.
30. Applicant shall relocate designated trash receptacle area to a location away from single-family residents, revised plans shall be subject to approval by the Director.
31. Landscape plan to include the retention of the mature pine tree at the northwest corner of the subject property in so far as it is not in the public right-of-way or project driveway

path, if feasible. Additionally, plan should attempt to save as many additional trees as possible. To be included in the project's required landscape plan, subject to approval by the Director.

32. As part of the landscape plan, screening trees shall be planted at the southwest corner of the property to provide visual buffer to soften neighbors view of project, new trees shall be 24" box or larger. To be included in the project's required landscape plan, subject to approval by the Director.

Attachments:

Department of Public Works letter dated March 16, 2006
Fire Department letter dated April 10, 2007

MC:AG
09-18-07



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 16, 2006

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Wittler *Barry S. Wittler*
Transportation Planning and Subdivision Review Section
Land Development Division

~~CONDITIONAL USE PERMIT NO. R2005-01996~~

Project No.

We have reviewed the subject Conditional Use Permit (CUP) in East San Gabriel in the vicinity of Duarte Road and Rosemead Boulevard (8946 and 8950 Duarte Road). This CUP is for the construction of 28-senior apartments with on-grade parking.

If this CUP is approved, we recommend the following conditions:

1. Dedicate the right to restrict vehicular access on Duarte Road along the property frontage.
2. Construct curb, gutter, base, pavement, and full-width sidewalk on Duarte Road for widening. The proposed curb line shall be located 42 feet from centerline.
3. Submit a 40-foot scale conceptual striping plan. This plan shall include a left-turn pocket into the proposed, property, otherwise this property will be restricted to right-turn- ingress and-egress.

A revised site plan is required to show the following additional information:

4. Show all existing driveways on Duarte Road on the site plan.

5. Provide a minimum spacing of 25 feet between the right of way line and the first parking stall.
6. Clarify the extent of the "New R/W" labeled on the site plan. The existing right of way fronting the subject properties is 100 feet.
7. Provide adequate sight distance for 65-mile-per-hour design speed (725 feet) on Duarte Road from the proposed driveway within public right of way or air space dedicated and maintained for line of sight purposes. Please show the sight distance analysis on the site plan. This may involve removing, relocating, or modifying the proposed wooden sign (east side of the proposed driveway), the proposed 6-foot-high C.M.U. wall (west side of the proposed driveway), and/or the existing landscaped area (west side of the proposed driveway).

For any questions regarding Item Nos. 3 through 7, please contact Matthew Dubiel at (626) 300-4862 or Sam Richard at (626) 300-4842 of our Traffic and Lighting Division.

8. Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Duarte Road along the property frontage to the satisfaction of Public Works.
9. Comply with the following streetlighting requirements to the satisfaction of Public Works.
 - a. Provide streetlights on concrete poles with underground wiring on Duarte Road along the property frontage. Streetlighting plans must be approved by the Street Lighting Section. For additional information, please contact our Street Lighting Section at (626) 300-4726.
 - b. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the streetlights in the amount of \$12,000. The applicant shall comply with the conditions of acceptance listed below in order for the lighting district to pay for future operation and maintenance of streetlights. The streetlights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - c. All streetlights in the project or approved project phase must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the project or approved project phase have been energized, and the developer has requested a transfer of billing at least by January 1 of

Russell Fricano

March 16, 2006

Page 3

the previous year, the lighting district can assume responsibility for the operation and maintenance of the streetlights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

10. Plant street trees on Duarte Road to the satisfaction of Public Works.

WH:ca

P:\LDPUB\TRANS\CUPS\CUPR2005-01996 CONSTRUCTION OF SENIOR APARTMENTS WITH ON-GRADE PARKING.

cc: Traffic and Lighting (Chow, Chon)



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

Regional Planning
Kim Szalay

DATE: April 10, 2007

TO: Department of Regional Planning
Permits and Variances

PROJECT #: R2005-01996

LOCATION: 8946 - 8950 E. Duarte Rd.

- ☐ The Fire Department has no additional requirements for this permit.
- ☒ The required fire flow for this development is 2250 gallons per minute for 2 hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☐ Install Public and/or On-site and/or Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ Comments: Approved for Public Hearing.
- ☒ Location: Per Sunny Slope Water Co. the existing fire hydrants are adequate. A new fire flow form will be required during the Building Plan Check process.
- ☒ Access: Access as shown on the site plan is adequate.
- ☒ Special Requirements: Submit a full set of architectural plans to Fire Prevention Engineering Section prior to issuance of building permit. Contact Fire Prevention for specifics regarding submittal (323) 890-4125.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Nancy Rodenhoffer

Co.CUP 04/04

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783

RPC MEETING DATE
September 12, 2007

AGENDA ITEM NO.
7

REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

PROJECT NO: R2005-01996-(5)

CASE NO. Conditional Use Permit
Case No. RCUP200500118-(5)

CONTACT PERSON: Anita Gutierrez

- ☒ STAFF REPORT
- ☒ DRAFT CONDITIONS (If Recommended For Approval)
- ☐ DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- ☒ BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ☒ ENVIRONMENTAL DOCUMENTATION
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ SITE PLAN (or Tentative Map)
- ☒ PHOTOGRAPHS
- ☐ CORRESPONDENCE
- ☐ _____
- ☐ _____
- ☐ _____

Reviewed By:






Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NUMBER R2005-01996 -(5)

CONDITIONAL USE PERMIT No.
RCUP200500118

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE September 12, 2007	

APPLICANT Francis L Norman's Nursery		OWNER Francis L Norman's Nursery		REPRESENTATIVE Roger Van Wert					
REQUEST Conditional Use Permit: To authorize construction, operation and maintenance of a 28 unit, three story senior citizen apartment complex in the C-1-DP (Restricted Business with a Development Program) zone.									
LOCATION/ADDRESS 8946 - 8950 Duarte Road San Gabriel, California 91775			ZONED DISTRICT South Santa Anita - Temple City						
ASSESSORS PARCEL NUMBER 5381001011 and 5381001047			COMMUNITY East Pasadena - East San Gabriel						
ACCESS Duarte Road			EXISTING ZONING C-1-DP (Restricted Business with a Development Program)						
SIZE 29,022 sq ft.	EXISTING LAND USE Single-family residence and parking lot		SHAPE Rectangular	TOPOGRAPHY Flat					
SURROUNDING LAND USES & ZONING									
North: Commercial uses C-1 (Restricted Business)			East: Commercial businesses including gas station and car wash C-1 (Restricted Business)						
South: Multi-family residences R-3 (Limited Multiple Residence)			West: Residential single-family residences R-A (Residential Agricultural)						
GENERAL PLAN	DESIGNATION		MAXIMUM DENSITY	CONSISTENCY					
Countywide	"3" (Medium Density Residential)		12-22 per acre	See Staff Analysis					
ENVIRONMENTAL STATUS Negative Declaration									
SITE PLAN DESCRIPTION Applicant proposes construction, operation and maintenance of a new three story, 28 unit apartment complex for senior citizens (11,530 sq ft.) over on-grade parking, on two tied lots. Total area landscaped will be 23% of total site area.									
KEY ISSUES Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements. Satisfaction of Section 22.44.135 of Title 22 of the Los Angeles County Code East Pasadena-San Gabriel Community Standards District requirements. Satisfaction of Section 22.56.1690 of Title 22 of the Los Angeles County Code Conditional Use Permit Directors Review requirements:									



Map taken from:
"The Thomas Guide, 2003 Edition"
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R2005 - 01994-4
Case No. RCUF2005 00118

STAFF ANALYSIS

PROJECT NO:
R2005-01996 – (5)

CASE NOS.
Conditional Use Permit - T200500118

PROJECT DESCRIPTION

The applicant, Francis L Norman's Nursery requests a conditional use permit to allow construction of a 28-unit, three story, senior citizen apartment building on a total of 29,022 square feet of property. The proposed project will have a unit mix of 17 one bedroom, 8 two bedroom, and 3 studios. The project requires a conditional use permit under the zone change approved by the Planning Commission on 02/13/2002. This project is located within the East Pasadena – San Gabriel Community Standards District (CSD).

The project includes one modification to the East-Pasadena San Gabriel Community Standards District 1) a modification to allow a reduced setback requirement

DESCRIPTION OF THE SUBJECT PROPERTY

Location:

The property is located on two lots at 8946 - 8950 Duarte Road in the unincorporated area of East Pasadena - East San Gabriel within the South Santa Anita - Temple City zoned district. Currently, the western property, located at 8946 Duarte Road is used for a single family residence with landscaping and the eastern property located at 8950 Duarte Road is used as a parking lot for trucks.

Set back modification:

The applicant is requesting a modification for relief of the setback requirement required under the East Pasadena – San Gabriel Community Standards District. The modification would allow the project to be built with no additional setbacks at the second and third floor levels as required under the CSD on the south easterly side only. The project does comply with required setbacks on all other sides of the project. The applicant is seeking this modification to this requirement.

d. setback. For structures that exceed 17 feet in height and are located on a lot or parcel of land adjacent to a residential zone, the maximum height of the structure at five feet from the property line adjacent to the residential zone shall be 10 feet and any portion of the structure that exceeds 10 feet in height shall be set back an additional floor for every additional foot in height

A conditional use permit was approved for this property in October of 2002 , but lapsed for lack of use.

ENTITLEMENTS REQUESTED

1. The applicant is requesting a Conditional Use Permit to authorize development in the "C-1-DP" or Restricted Business – Development Program Zone. According to Section 22.40 Part 2, if a conditional use permit has been obtained, property in Zone ()-DP may be used for any use permitted in the basic zone subject to the conditions and limitations of the conditional use permit, including an approved development program. Residential uses are allowed in the C-1 zone with a conditional use permit. The applicant is proposing a 28-unit senior housing development. Modifications to the standards of the Pasadena – San Gabriel Community Standards District are also requested by the conditional use permit process.

EXISTING ZONING

Subject Property:

Both lots of the subject property are currently zoned C-1-DP, Unlimited Commercial with a Development Program.

Surrounding Properties:

Surrounding zoning consists of:

North: C-1 (Restricted Business) and C-3-DP (Unlimited Commercial with a Development Program)

South: R-3 (Limited Multiple Residence), R-2 (Two-Family Residence) and R-A (Residential Agricultural)

East: C-1 (Restricted Business) and R-3 (Limited Multiple Residence)

West: R-A (Residential Agricultural)

EXISTING LAND USES

Subject Property

The western property at 8946 Duarte Road is currently used for a single family residence with landscaping. The eastern property at 8950 Duarte Road is used as a parking lot.

Surrounding Properties

Surrounding land uses include:

North: local commercial-markets, fast food establishments and cleaners

East: Gas station and auto repair

South: Multi family residential

West: Single family residential

PREVIOUS CASES/ZONING HISTORY

ZC01 -164 – (5) and CP01-164-(5) were concurrently approved by the Board of Supervisors on October 29, 2002 for a conditional use permit to construct, operate, and maintain an 18,000-square-foot two-story office building and a change in zoning on the subject property from R-3-35U (Limited Multiple Residence, 35 units maximum), P

(Parking), and C-1 (Restricted Business) to C-1-DP (Neighborhood Commercial, Development Program).

ZC 5772 was approved for western property (8946 Duarte Road) in April of 1972 for a zone change from R-A (Residential -Agricultural) to R-3 -35U (Limited Multiple Residence with a restriction of 35 units per net acre)

ZC 4229 was approved for eastern property (8950 Duarte Road) in May of 1962 for a zone change to C-1 & P (Restricted Business with a parking zone).

GENERAL PLAN

Land Use Policy Map

The subject property is designated as "3" or Medium Density Residential in the Los Angeles County General Plan. This designation allows for multiple unit development including garden apartments and multi-plex development in addition to high density townhouse developments. This land use designation allows for 12 to 22 dwelling units per acre.

A 28 unit senior apartment complex is proposed, which assumes a density of 42 units per acre. The applicant has provided justification for the proposed density, citing that the 42 units per acre density is consistent with uses in the surrounding area (several apartment buildings in the area exist with an average of 41.5 units per acre). Additionally, because the development caters to the needs of senior citizens, with households of one or two individuals the units have a smaller floor area than what might be expected in a standard apartment complex. It is reasonable to expect that this senior apartment complex would house a similar number of individuals and generate less traffic than a typical apartment complex developed at a density of 12 to 22 units.

According to the County of Los Angeles General Plan, Land use Element more concentrated urban development for residential infill projects is supported. As stated in the general plan, "new residential development within existing urban areas not covered by a more detailed local plan may be permitted at densities exceeding those depicted on the Land Use Policy Map," provided that the applicant meet several criteria. The applicant has responded to these criteria in that the proposed project will not adversely affect the character of the community and the project site is of sufficient size to accommodate the building design. The project site is 29,021 square feet with a proposed building footprint of 11,530 with a total living space of 22,087 square feet. Landscaping will cover approximately 23% of the property, including a 27 foot landscaped front yard setback. The project meets all other criteria to allow exceeding density depicted in Land Use Policy Map.

SITE PLAN

The site plan depicts the proposed senior apartment building with two three story buildings on two tied lots fronting Duarte Road, with a vehicular access off of Duarte Road. The buildings range in height, reaching a maximum height of 33 feet 9 inches. The massing of the building is concentrated on the eastern portions of the properties

The unit mix is 3 studios, 17 one bedroom and 8 two bedroom with 30 at grade parking spaces. The A portion of the resident parking will be covered with two floors of apartments above. Landscaping will cover approximately 23% of the project site, a majority of the open space is concentrated along the street frontage as well as in the interior corridor. The perimeter of the building along the southern, eastern, and western boundaries will feature a six foot concrete wall, replacing the existing block wall.

EAST PASADENA – SAN GABRIEL COMMUNITY STANDARDS DISTRICT

Community-wide Development Standards

According to Section 22.44.135 C of the County Code the community-wide development standards have been met.

According to Section 22.44.135 D of the County Code the following zone specific development standards apply:

Height:

According to Section 22.44.135, the maximum height of all structures, except chimneys and rooftop antennas, shall be 35 feet.

The project proposes to reach a height of 33 feet 9 inches

Floor Area:

According to Section 22.44.135, the maximum floor area shall be 100 percent of the net lot area. Floor area shall include all enclosed buildings.

The constructed area of the project totals 22,087 square feet, creating a floor area coverage of 76%.

Maximum Lot Coverage:

According to Section 22.44.135, the maximum lot coverage shall be 75 percent of the net lot area. Lot coverage shall include all enclosed buildings.

The building footprint covers 11,530 square feet of the subject properties, comprising 40% of the total lot area.

Setback:

According to Section 22.44.135, for structures that exceed 17 feet in height and are located on a lot or parcel of land adjacent to a residential zone, the maximum height of the structure at five feet from the property line adjacent to the residential zone shall be set back an additional floor for every additional foot in height.

The proposed project exceeds 17 feet in height and is located adjacent to a residential zone. The proposed project would meet setback requirements on the northern, western and eastern borders, however the southern and southeastern borders do not have an additional foot setback for every additional increase in height above 10 feet at the

second and third floor levels, therefore this requirement has not been met. The applicant has requested a modification to this standard through discretionary approval by the conditional use permit.

Lighting:

According to Section 22.44.135 exterior lighting shall be of top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works determines that a different street lighting configuration is required for the protection of public health and safety.

The draft conditions address the projects consistency with the lighting requirement.

Compliance with Applicable Zoning Standards

According to Section 22.28.120, development within the C-1 zone shall be subject to the following standards:

Parking:

According to Section 22.28.120 B, that there be parking facilities provided as required by Part 11 of Chapter 22.52. Section 22.52.1210 states that multiple-family housing developments that are restricted to senior citizens shall provide one-half parking space for each dwelling unit plus one guest space for each eight units.

The site plan shows 28 residential senior units, requiring 14 resident spaces and 4 guest parking spaces for a total of 18 parking spaces. The site plan shows 30 parking spaces being provided, including 3 designated guest spaces and two (one guest and one residential) handicapped spaces. The project proposes having 7 of the residential spaces be of compact design, which are in addition to the required spaces.

BURDEN OF PROOF

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concluded that there is no evidence that the project may have a significant effect on the environment.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Recommendations from consultation completed during the environmental review process were received from the Department of Public Works.

The Department of Public Works has provided comments regarding vehicular access on Duarte Road traffic and street improvements. Their letter, dated March 16, 2006, includes the provision of street dedications and improvements. This letter is attached to this report.

The Fire Department has provided requirements regarding fire hydrants and fire flow in their letter, dated April 10, 2007. This letter is attached to this report.

PUBLIC COMMENTS/OUTREACH

Staff has received three (3) phone calls and has received six (6) letters in opposition to this project. The major concerns raised in these oppositions are increased traffic due to this project and parking availability for proposed project.

There was an open house for this project hosted by the applicant on Tuesday, August 28th, in which a over a dozen residents were present. An overview of the project and pictures were provided.

STAFF EVALUATION

The applicant is proposing a 28-unit senior apartment complex in two, three story building in the C-1-DP zone. Any development within the -DP zone is subject to a conditional use permit. Residential development within the C-1 zone also requires a conditional use permit. Residential densities in commercial areas are to be determined through the discretionary review process.

The proposed project meets the requirements of the C-1 standards for parking, lot coverage, landscaping, and height. The proposed project does not meet the requirements for setbacks per the East Pasadena –San Gabriel CSD. The applicant has requested a modification to allow for reduced setbacks on the second and third levels on the southern and south eastern boundaries of the project. The intent of the provisions in the CSD was to protect single-family residential from being imposed upon

by large commercial developments, as such the CSD has provisions for R-3 zones that only require this increased set-back when the R-3 abuts single-family residential. In this case the southern and south-eastern boundaries abut a 35 foot three story residential building, not a single-family dwelling. Given this, it would be appropriate to allow reduced setbacks on the southern and south-eastern boundaries of the project only as it would be consistent with the intent of the CSD to prevent uses on commercially zoned property to adversely impact adjacent single family dwellings. The applicant has presented compelling evidence to modify these standards through the burden of proof.

The surrounding properties are zoned R-2, R-3 and C-1 and are under the Medium Density Residential land use designation both not to exceed 30 units per acre.

The applicant's proposal includes a density of 42 units per acre. Compared with the existing density in the area, the proposed project would be consistent with similar apartment densities in the area.

The proposed senior apartments would provide needed affordable housing options for the senior citizen population and would be compatible with and complementary to surrounding developments. No negative environmental impacts are identified pertaining to the project.

Staff is of the opinion that with compliance to all the attached conditions, the burden of proof for a conditional use permit has been met by the applicant's proposal. If approved, staff recommends that a 30-year inspection period be required.

For the conditional use permit to be approved by the Commission, the following findings must be substantiated:

1. The proposed use is consistent with the adopted general plan for the area;
2. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
3. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area;
4. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required

STAFF RECOMMENDATIONS

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends that the Commission consider:

- Whether the project at the proposed density, height, and setbacks, is compatible with the adjacent area and consistent with the surrounding zoning in East Pasadena – San Gabriel Community Standards District.

If the Commission finds the request satisfies the conditional use permit burden of proof requirements, then staff recommends **APPROVAL** of Conditional Use Permit No. 200500118-(5) subject to the attached draft conditions.

SUGGESTED APPROVAL MOTIONS:

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION ADOPT THE NEGATIVE DECLARATION ASSOCIATED WITH CONDITIONAL USE PERMIT CASE NO. R200500118-(5)

"I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT CASE NO. R200500118-(5) WITH THE ATTACHED FINDINGS AND CONDITIONS."

LEGAL NOTIFICATION CONFIRMATION

Project Number R2005-01996 – (5)
Conditional Use Permit Number 200500118-(5)

Newspaper

The Notice of Public Hearing was advertised in the San Gabriel Valley Tribune and La Opinion newspapers on August 2, 2007.

Property Owners

A total of 374 public hearing notices regarding the subject application were mailed out to the owners of properties located within the 1000-foot radius of the subject property on August 7, 2007.

Courtesy List

10 notices were also sent to the local community groups and residents on the Temple City Zoned District courtesy list.

County Library & Department Website

Case information materials, including the Notice of Public Hearing, Factual Sheet, and proposed Negative Declaration were sent to the Temple City County Library located at 5939 Golden West Avenue on August 7, 2007. The same information materials were also posted on the Department of Regional Planning's Website.

Subject Property

Pursuant to Section 22.60.175 of the County Code, the applicant must post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received photos and the Certificate of Posting stating that the Notice of Public Hearing was posted on August 10, 2007 from the applicant's agent.

**CONDITIONAL USE PERMIT R2005-01996-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATE:
September 12, 2007**

SYNOPSIS:

The applicant is requesting a Conditional Use Permit to construct, operate and maintain a 28 unit senior apartment complex in the C-1-DP (Restricted Business – Development Program) zone. The project is composed of two, three-story buildings with at grade parking. The subject property is located at 8946 and 8950 Duarte Road in the community of East Pasadena- East San Gabriel in the South Santa Anita - Temple City Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:

Findings

1. The applicant is requesting a Conditional Use Permit to construct, operate and maintain construct a 28 unit, three story, senior citizen apartment building on a total of 29,022 square feet of property. The proposed project is composed of two, three story buildings with a unit mix of 17 one bedrooms, 8 two bedrooms, and 3 studios. This project is located within the East Pasadena – San Gabriel Community Standards District (CSD).
2. The subject property encompasses two parcels at 8946 - 8950 Duarte Road, and Assessor's Parcel Numbers 5381001011 and 5381001047. The subject property is located on the south side of Duarte Road, between Rosemead Boulevard and Sultana Avenue, in the South Santa Anita - Temple City zoned district.
3. The 0.66 acre subject property is developed with one single-family dwelling.
4. Zoning on the site is C-1-DP (Restricted Business with a Development Program). Pursuant to Section 22.40 Part 2, if a conditional use permit has been obtained, property in Zone ()-DP may be used for any use permitted in the basic zone subject to the conditions and limitations of the conditional use permit, including an approved development program. Residential uses are allowed in the C-1 zone with a conditional use permit.
5. The surrounding properties are zoned as follows:

North: Commercial uses C-1 (Restricted Business)
South: Multi-family residences R-3 (Limited Multiple Residence)

East: Commercial businesses including gas station and car wash
C-1 (Restricted Business)
West: Residential single-family residences R-A (Residential Agricultural)

6. Surrounding land uses within 500' include:

North: Single-family and multi-family residences, commercial
South: Single-family and multi-family residences
East: Single-family residences
West: Single-family and multi-residences, gas station

7. Previous cases filed on the subject property include Zone Changes 164, 5772 and 4229 and Conditional Use Permit 01-164.

- ZC01 -164 – (5) and CP01-164-(5) were concurrently approved by the Board of Supervisors on October 29, 2002 for a conditional use permit to construct, operate, and maintain an 18,000-square-foot two-story office building and a change in zoning on the subject property from R-3-35U (Limited Multiple Residence, 35 units maximum), P (Parking), and C-1 (Restricted Business) to C-1-DP (Neighborhood Commercial, Development Program).
- ZC 5772 was approved for western property (8946 Duarte Road) in April of 1972 for a zone change from R-A (Residential –Agricultural) to R-3 -35U (Limited Multiple Residence with a restriction of 35 units per net acre)
- ZC 4229 was approved for eastern property (8950 Duarte Road) in May of 1962 for a zone change to C-1 & P (Restricted Business with a parking zone)

8. The subject property is designated as "3" or Medium Density Residential in the Los Angeles County General Plan. This designation allows for multiple unit development including garden apartments and multi-plex development in addition to high density townhouse developments. This land use designation allows for 12 to 22 dwelling units per acre.

9. According to the County of Los Angeles General Plan, Land use Element more concentrated urban development for residential infill projects is supported. As stated in the general plan, "new residential development within existing urban areas not covered by a more detailed local plan may be permitted at densities exceeding those depicted on the Land Use Policy Map," provided that the applicant meet several criteria. The applicant has responded to these criteria in that the proposed project will not adversely affect the character of the community and the project site is of sufficient size to accommodate the building design. The project site is 29,021 square feet with a proposed building footprint of 11,530 with a total living space of 22,087 square feet. Landscaping will cover approximately

23% of the property, including a 27 foot landscaped front yard setback. The project meets all other criteria to allow exceeding density depicted in Land Use Policy Map.

10. The site plan submitted by the applicant depicts the proposed senior apartment building with two three story buildings on two tied lots fronting Duarte Road, with a vehicular access off of Duarte Road. The buildings range in height, reaching a maximum height of 33 feet 9 inches. The massing of the building is concentrated on the eastern portions of the properties

The unit mix is shown as 3 studios, 17 one bedrooms and 8 two bedrooms with 30 at grade parking spaces. The A portion of the resident parking is shown as being covered with two floors of apartments above. Landscaping covering approximately 23% of the project site, a majority of the open space concentrated along the street frontage as well as in the interior corridor. A six foot concrete wall, replacing the existing block wall is shown along the perimeter of the building along the southern, eastern, and western boundaries.

11. The applicant requested modifications to the following provisions of Title 22:
 - Section 22.44.135 – for structures exceeding 17 feet in height and are located on a lot or parcel of land adjacent to a residential zone the maximum height of the structure at five feet from the property line adjacent to the residential zone shall be set back an additional floor for every additional foot in height.
12. The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
13. A total of 374 public hearing notices were mailed out to property owners within 1,000 feet of the subject property on August 7, 2007 regarding the subject request. The notice was published in the San Gabriel Valley Tribune and La Opinion newspapers on August 2, 2007. Case-related material, including the hearing notice, factual and burden of proof were available on or before August 7, 2007 at the Temple City County Library located at 5939 Golden West Avenue. According to the applicant, the hearing notice was posted on the property for 30 days prior to the public hearing.
14. Six letters in opposition were received to the request. Concerns stated in the letters included increased traffic in relation to the new development and opposition to number of stories of the proposed complex.
15. The Commission recognizes the precedent setting nature of this development for the surrounding area with respect to height and mass but finds that the project is consistent and compatible with current and future development trends. The location proposed is suitable for this type of development.

16. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.090 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis on the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopts the Negative Declaration.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200500118-(5) is APPROVED subject to the attached conditions.

1. This grant authorizes the construction, operation, and maintenance of a residential development, to consist of 28 senior dwelling units with at grade parking, consisting of 11,530 sq feet of residential space, as depicted on the approved Exhibit "A", subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8 and until all required monies have been paid pursuant to Conditions No. 10, 11, and 12; and
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

6. This grant shall expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing with the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder and a recorded copy be provided to the Director of Planning. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. **This grant shall terminate on June 14, 2047.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this grant, whether or not any modification of the use is requested at that time.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$3,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the site plan on file. The fund provides for **twenty (20) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. Within fifteen (15) days of the approval date of this grant, the permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the filling and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The Mitigated Negative Declaration in this case qualifies for minimus Finding of Impact and is exempt from Fish and Game fees pursuant to Section 711.2 of the Fish and Game Code.
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. In the event that the county deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the county for all costs incurred in such proceedings.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said bureau.
15. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
16. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
17. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous marking occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such marking shall be of a color that matched, as closely as possible, the color of the adjacent surfaces.

18. File and record a covenant and agreement to hold the parcels as one. Submit a copy of the document to be recorded for review and approval. Upon recordation, an official copy of the recorded covenant and agreement shall be provided to the Director.
19. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, five (5) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
20. Within ninety (90) days of the approval date adherence to development in accordance with the site plan on file of this grant, the permittee shall submit to the Director for review and approval five (5) copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described above. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The permittee shall maintain all landscaping in a neat, clean and healthy condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover.
21. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, three (3) copies of a lighting plan. All exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off after 9 p.m., with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading throughout the complex.
22. Within ninety (90) days of the approval date of the grant, the permittee shall submit for review and approval by the Department of Regional Planning and County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation in the office of the County Recorder, providing that the residential occupancy of the development be limited to a senior citizens housing development for the lifetime of the facility. The covenant shall also set forth all of the requirements under state and federal fair housing laws to qualify it for treatment as a "housing for older persons," as defined in those state and federal laws. Said document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded prior to the issuance of a building permit.

23. A minimum of 18 parking spaces shall be provided on-site. At least four (1) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided.
24. In the event the units are no longer restricted to occupancy by senior citizens, the permittee shall develop the on-site parking spaces needed to bring the use and/or occupancy of the property in to conformance with Chapters 22.52 and 22.56 of the County Code.
25. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works memorandums dated March 16, 2006 and December 1, 2005 except as otherwise required by said Department.
26. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Fire Department memorandum dated April 10, 2007, except as otherwise required by said Department.
27. Pursuant to Chapter 22.72 of the County Code, the permittee shall pay a fee to the County of Los Angeles Public Library prior to the issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.
28. Pursuant to Chapter 22.44.135 of the County Code, the permittee shall ensure that all exterior lighting shall be of top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works determines that a different street lighting configuration is required for the protection of public health and safety.

Attachments:

Department of Public Works letter dated March 16, 2006
Fire Department letter dated April 10, 2007

MC:AG
09-06-07



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 16, 2006

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Wittler *Barry S. Wittler*
Transportation Planning and Subdivision Review Section
Land Development Division

~~CONDITIONAL USE PERMIT NO. R2005-01996~~

Project No.

We have reviewed the subject Conditional Use Permit (CUP) in East San Gabriel in the vicinity of Duarte Road and Rosemead Boulevard (8946 and 8950 Duarte Road). This CUP is for the construction of 28-senior apartments with on-grade parking.

If this CUP is approved, we recommend the following conditions:

1. Dedicate the right to restrict vehicular access on Duarte Road along the property frontage.
2. Construct curb, gutter, base, pavement, and full-width sidewalk on Duarte Road for widening. The proposed curb line shall be located 42 feet from centerline.
3. Submit a 40-foot scale conceptual striping plan. This plan shall include a left-turn pocket into the proposed, property, otherwise this property will be restricted to right-turn- ingress and-egress.

A revised site plan is required to show the following additional information:

4. Show all existing driveways on Duarte Road on the site plan.

5. Provide a minimum spacing of 25 feet between the right of way line and the first parking stall.
6. Clarify the extent of the "New R/W" labeled on the site plan. The existing right of way fronting the subject properties is 100 feet.
7. Provide adequate sight distance for 65-mile-per-hour design speed (725 feet) on Duarte Road from the proposed driveway within public right of way or air space dedicated and maintained for line of sight purposes. Please show the sight distance analysis on the site plan. This may involve removing, relocating, or modifying the proposed wooden sign (east side of the proposed driveway), the proposed 6-foot-high C.M.U. wall (west side of the proposed driveway), and/or the existing landscaped area (west side of the proposed driveway).

For any questions regarding Item Nos. 3 through 7, please contact Matthew Dubiel at (626) 300-4862 or Sam Richard at (626) 300-4842 of our Traffic and Lighting Division.

8. Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Duarte Road along the property frontage to the satisfaction of Public Works.
9. Comply with the following streetlighting requirements to the satisfaction of Public Works.
 - a. Provide streetlights on concrete poles with underground wiring on Duarte Road along the property frontage. Streetlighting plans must be approved by the Street Lighting Section. For additional information, please contact our Street Lighting Section at (626) 300-4726.
 - b. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the streetlights in the amount of \$12,000. The applicant shall comply with the conditions of acceptance listed below in order for the lighting district to pay for future operation and maintenance of streetlights. The streetlights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - c. All streetlights in the project or approved project phase must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the project or approved project phase have been energized, and the developer has requested a transfer of billing at least by January 1 of

Russell Fricano
March 16, 2006
Page 3

the previous year, the lighting district can assume responsibility for the operation and maintenance of the streetlights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

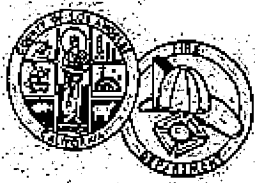
- 10. Plant street trees on Duarte Road to the satisfaction of Public Works.

WH:ca

P:\LD\PUB\TRANS\CUPS\CUPR2005-01598 CONSTRUCTION OF SENIOR APARTMENTS WITH ON-GRADE PARKING.

cc: Traffic and Lighting (Chow, Chon)

Regional Planning
Kim Szalay



COUNTY OF LOS ANGELES FIRE DEPARTMENT

5823 Rickenbacker Road
Commerces, California 90040

DATE: April 10, 2007

TO: Department of Regional Planning
Permits and Variances

PROJECT #: R2005-01996

LOCATION: 8946 - 8950 E. Duarte Rd.

- ☐ The Fire Department has no additional requirements for this permit.
- ☒ The required fire flow for this development is 2250 gallons per minute for 2 hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☐ Install Public and/or On-site and/or Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ Comments: Approved for Public Hearing.
- ☒ Location: Per Sunny Slope Water Co. the existing fire hydrants are adequate. A new fire flow form will be required during the Building Plan Check process.
- ☒ Access: Access as shown on the site plan is adequate.
- ☒ Special Requirements: Submit a full set of architectural plans to Fire Prevention Engineering Section prior to issuance of building permit. Contact Fire Prevention for specifics regarding submittal (323) 890-4125.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Nancy Rodenhoffer

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

CONDITIONAL USE PERMIT R2005-01996

BURDEN OF PROOF

Francis L. Norman's Nursery, San Gabriel

Revised June 14, 2007

A. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The location of the proposed senior housing project will not adversely affect the health, peace, comfort or welfare of residents, employees or property owners in the vicinity as the project is consistent in both scale and character to surrounding properties. The project design provides an effective transition for the existing single family residences to the west of the project site, by concentrating the mass of the building along the easterly side of the project site and by using on-grade parking as well as attractive landscaping and decorative walls as a visual and physical buffer. The scale of the project is also consistent with the existing 3-story apartment complex to the south and east as well as compatible with the service station to the east of the project. Further, the project would constitute a substantial investment in the area that could positively impact the surrounding properties, by adding value to the site as well as creating an attractive visual and acoustic barrier between the more intense urban and commercial uses to the east and neighborhoods to the west along Duarte Road.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is 29,021 square feet, more than adequately accommodating the building footprint of 11,530 square feet and total living area of 22,087 square feet. The landscaped area covers 23% of the property, well exceeding the 10% required by development standards in LACC Section 22.28.120 for C-1 zone properties. The project proposes 30 parking spaces, including two handicapped spaces, substantially greater than the required amount of parking of one-half space per dwelling unit and one guest space per 8 dwelling units, as set forth in LACC Section 22.52.1210. A 27 foot landscaped front yard setback creates an attractive façade compatible with surrounding residential uses. Side and rear setbacks address the service station and 3-story apartment complex boundaries to the east and south of the building and include appropriate fences and walls.

C. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

The project location is well served by highways and streets. The property fronts Duarte Road with an 80 foot right of way and is adjacent to Rosemead Boulevard, a state highway. Regional access is provided by the 210 freeway, a couple of miles north of the subject property. Such a well served site with direct access to area freeways and highways ensures that project generated traffic will have limited need to use residential streets to access the property. Additionally, as a senior apartment development, the project is expected to generate less traffic than a standard apartment development of comparable size. The site is also well served by an urban utility infrastructure adequate to support the proposed apartment use. Water is currently supplied by Sunny Slope Water, gas by Southern California Gas, sewer services by the County of Los Angeles, and telephone service by Pacific Bell.

STAFF USE ONLY

PROJECT NUMBER: R2005-01996
CONDITIONAL USE RCUP 200500118
PERMIT:
ENVIRONMENTAL: RENV 200500132



***** INITIAL STUDY *****

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

GENERAL INFORMATION

I.A. Map Date: June 14, 2007 Staff Member: Kim Szalay
Thomas Guide: 596-H1 USGS Quad: El Monte
Location: 8946 and 8950 Duarte Road, San Gabriel, CA

Project Description: The applicant proposes to demolish the existing uses, including one single-family residence and parking on two lots, and to build a market-rate apartment building with 28 senior units (21,360 sq. ft.; three studios, 17 one-bedroom, and eight two-bedroom units). Access from Duarte Road is provided by one driveway. Standard and handicapped parking is provided along the driveway within covered resident parking and uncovered guest parking areas (30 total spaces - 26 standard and one handicapped spaces - 27 resident, two standard and one handicapped guest spaces). A CMU wall six feet in height is proposed for the west, south, and east perimeter of the site with the exception of a decorative portion 42" in height located on the eastern boundary at the northernmost 27feet.

Gross Acres: .66 or 29,021 sq. ft.

Environmental Setting: The site is flat, lacking native vegetation and native animal habitat. Four large trees are located on the site (Jeffery Pine, Fig, Avocado, and Chinese Elm). The proposed project is located in an urbanized area with single-family residential uses to the west, gas station and carwash use to the east, apartment uses to the south and southeast, and Duarte Road and commercial uses to the north. Rosemead Boulevard is located approximately 150 feet to the east. The City of Temple City is approximately 1/4 mile to the southeast of the site.

Zoning: C-1-DP (Restricted Business-Development Program)

General Plan: 3 (Medium Density Residential) - 12-22 DU/AC

Community/Area wide Plan: N/A

Major projects in area:

PROJECT NUMBER

DESCRIPTION & STATUS

ZC and CP 01-164-
(5)

Subject sites: Zone Change from C-1-P to C-1-DP and Conditional Use Permit to construct operate and maintain and 18,000 sq. ft. office building (approved 10/29/02, but not built at the date of this report).

CP 96010-(5)

ZC and Conditional Use Permit for adjacent car wash, beer and wine, and service station (11/06/97 approved)

CP 93007-(5)

Nearby fast food restaurant (7/13/93 approved)

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- ☒ None
- ☐ Regional Water Quality Control Board
- ☐ Los Angeles Region
- ☐ Lahontan Region
- ☐ Coastal Commission
- ☐ Army Corps of Engineers
- ☐

Trustee Agencies

☐ None

☐ State Fish and Game

Special Reviewing Agencies

- ☐ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☐ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of Santa Monica Mtns.
- ☒ City of Temple City
- ☐
- ☐

Regional Significance

- ☒ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns. Area
- ☐
- ☐

County Reviewing Agencies

- ☐ Subdivision Committee
- ☒ DPW:
Land Development
Traffic and Lighting Division
Geotechnical and Materials
Engineering Division
- ☒ Fire:
Environmental Review
Planning Division
Subdivision Division

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)				
			Less than Significant Impact/No Impact			
			Less than Significant Impact with Project Mitigation			
			Potentially Significant Impact			
CATEGORY	FACTOR	Pg				Potential Concern
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Noise	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
RESOURCES	1. Water Quality	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Air Quality	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Cultural Resources	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

- Development Policy Map Designation: Conservation/Maintenance
- ☒ Yes ☐ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

☐ Check if DMS printout generated (attached)

Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)

EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

- ☒ **NEGATIVE DECLARATION**, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

- ☐ **MITIGATED NEGATIVE DECLARATION**, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

- ☐ **ENVIRONMENTAL IMPACT REPORT***, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

- ☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Kim Szalay  Date: 10-31-05, Revised 6/18/07

Approved by: Mark Anna  Date: 6/18/07

- ☐ Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

- ☐ This proposed project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? <i>Raymond Fault is located nearby to the north of the site.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area containing a major landslide(s)?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having high slope instability?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?
h.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 – Sections 308B, 309, 310; and 311 and Chapters 29 and 70

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Approval of Geotechnical Report by DPW

DPW did not require further geotechnical analysis.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? <i>FEMA Flood Map</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in or subject to high mudflow conditions?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project contribute or be subject to high erosion and debris deposition from run-off?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project substantially alter the existing drainage pattern of the site or area?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

- ☐ Building Ordinance No. 2225 – Section 308A ☐ Ordinance No. 12,114 (Floodways)
☐ Approval of Drainage Concept by DPW

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

- ☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

- ☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having inadequate water and pressure to meet fire flow standards?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the proposed use constitute a potentially dangerous fire hazard?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ Water Ordinance No. 7834
 ☐ Fire Ordinance No. 2947
 ☐ Fire Regulation No. 8
☐ Fuel Modification/Landscape Plan

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Project Design ☐ Compatible Use

Fire Department approved driveway, turnaround, and walkway fire access. Fire flow water supplied verified as adequate.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by fire hazard factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located near a high noise source (airports, railroads, freeways, industry)?
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? <i>The project proposes senior citizen housing.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ Noise Ordinance No. 11,778 ☐ Building Ordinance No. 2225--Chapter 35

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project require the use of a private sewage disposal system?
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations <i>or</i> is the project proposing on-site systems located in close proximity to a drainage course?
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies?</p> <p><i>Parking lots with 25 or more parking spaces are subject to NPDES requirements. The project proposes 35 covered and uncovered parking spaces with paved access driveway.</i></p>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?</p> <p><i>Parking lots with 25 or more parking spaces are subject to NPDES requirements. The project proposes 35 parking spaces with paved access driveway.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- | | |
|--|---|
| <input type="checkbox"/> Industrial Waste Permit | <input type="checkbox"/> Health Code - Ordinance No.7583, Chapter 5 |
| <input type="checkbox"/> Plumbing Code - Ordinance No.2269 | <input checked="" type="checkbox"/> NPDES Permit Compliance (DPW) |

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

- ☐ Lot Size ☐ Project Design ☐ Compatible Use

The Department of Public Works provided comments indicating drainage and NPDES compliance planning would be required prior to issuance of building permits.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

- ☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ Health and Safety Code – Section 40506

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Project Design ☐ Air Quality Report

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, air quality?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain oak or other unique native trees (specify kinds of trees)?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., wildlife corridor, adjacent open space linkage)?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS
☐ Lot Size ☐ Project Design ☐ ERB/SEATAC Review ☐ Oak Tree Permit

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, **biotic** resources?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain rock formations indicating potential paleontological resources?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain known historic structures or sites?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS
☐ Lot Size ☐ Project Design ☐ Phase 1 Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on archaeological, historical, or paleontological resources?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on mineral resources?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? <i>The project proposes aesthetic step backs at the 2nd and 3rd floor levels.</i>
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project likely to create substantial sun shadow, light or glare problems?
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size
 ☐ Project Design
 ☐ Visual Report
 ☐ Compatible Use

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on scenic qualities?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? <i>The proposed project is a senior citizen's residence containing 28 units. Senior citizen's projects historically do not generate the level of traffic volumes associated with other standard apartment uses.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in any hazardous traffic conditions?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in parking problems with a subsequent impact on traffic conditions?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☒ Project Design
 ☐ Traffic Report
 ☒ Consultation with Traffic & Lighting Division

Project design incorporates line of site and certain street striping requirements to the satisfaction of Traffic and Lighting.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on traffic/access factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If served by a community sewage system, could the project create capacity problems at the treatment plant?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems in the sewer lines serving the project site?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- ☐ Sanitary Sewers and Industrial Waste – Ordinance No. 6130
☐ Plumbing Code – Ordinance No. 2269

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

The project received DPW approval of its sewer study.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Site Dedication ☐ Government Code Section 65995 ☒ Library Facilities Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☐ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?</p> <p><i>The nearest fire station is located at 7225 N. Rosemead Blvd., San Gabriel, approximately 1/2 mile from the site. The nearest sheriff's station is located at 8838 Las Tunas Dr., Temple City, approximately 1.5 miles from the site.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are there any special fire or law enforcement problems associated with the project or the general area?</p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p>

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Fire Mitigation Fee

The project design meets fire flow water supply requirements of the Fire Department.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to fire/sheriff services?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create problems with providing utility services, such as electricity, gas, or propane?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any other known service problem areas (e.g., solid waste)?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ Plumbing Code – Ordinance No. 2269 ☐ Water Code – Ordinance No. 7834

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to utilities services?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in an inefficient use of energy resources?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a significant reduction in the amount of agricultural land?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any hazardous materials used, transported, produced, handled, or stored on-site?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any pressurized tanks to be used or any hazardous wastes stored on-site?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
i.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Toxic Clean-up Plan

CONCLUSION

Considering the above information, could the project have a significant impact relative to public safety?

☐ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Can the project be found to be inconsistent with the plan designation(s) of the subject property?</p> <p><i>The proposed project is a high density use (42 DU/AC) located in a medium density residential plan designation (12-22 DU/AC) area. The use proposed is similar in scale to other apartment uses in the area.</i></p>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Can the project be found to be inconsistent with the zoning designation of the subject property?</p> <p><i>The proposed project is a residential use in a Restricted Business zoning designation (C-1-DP) area. The use proposed is similar in scale and character to other apartment uses located in the adjacent R-3 zone.</i></p>
c.				<p>Can the project be found to be inconsistent with the following applicable land use criteria:</p>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hillside Management Criteria?
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEA Conformance Criteria?
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project physically divide an established community?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

The project design exceeds the land use designation maximum density standard; the project is consistent with The Plan as it meets the additional criteria requirements allowing urban infill housing projects exceeding maximum densities.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to land use factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project cumulatively exceed official regional or local population projections?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project displace existing housing, especially affordable housing?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project require new or expanded recreational facilities for future residents?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

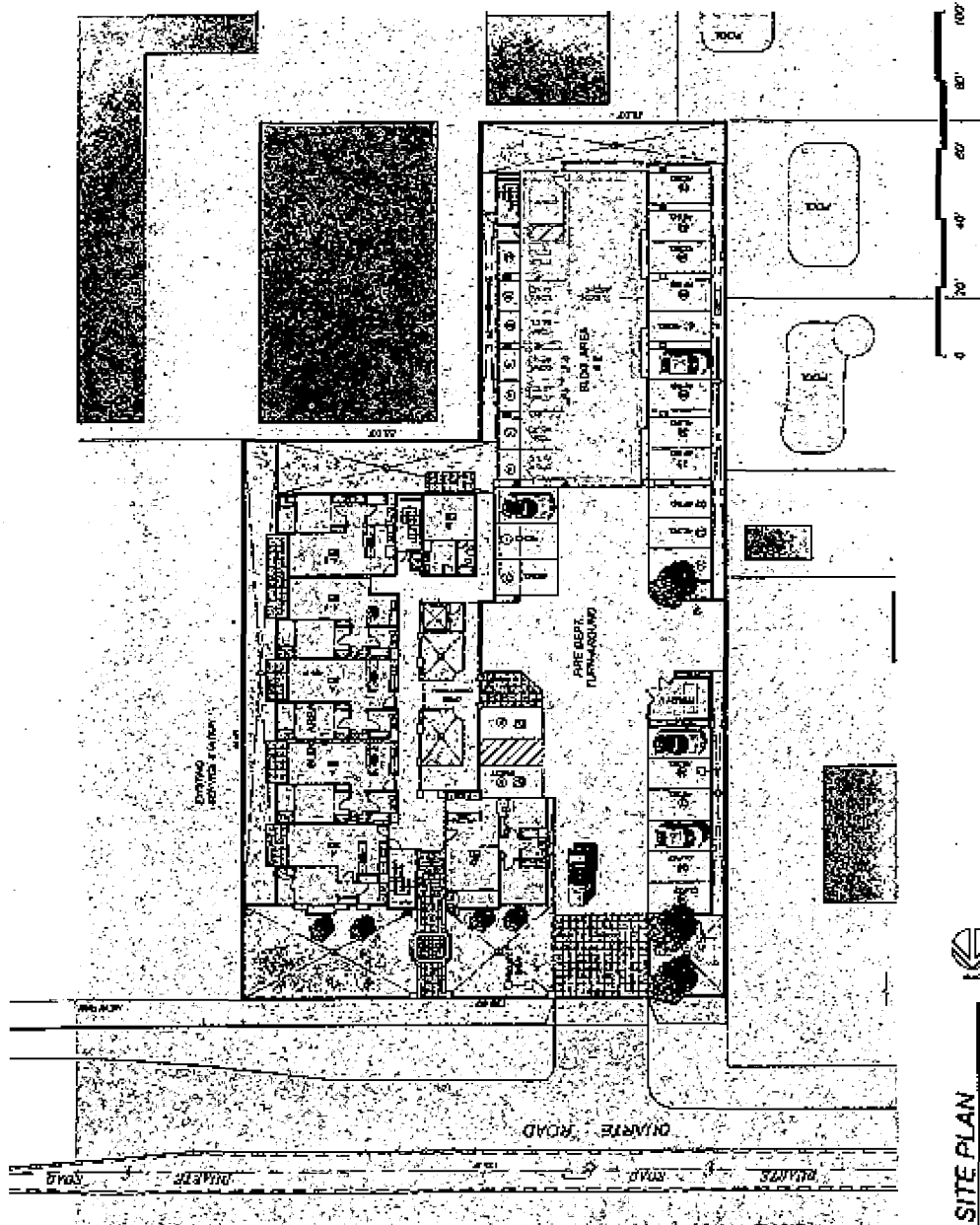
☒ Potentially significant

☐

Less than significant with project mitigation

☒

Less than significant/No impact



SITE PLAN

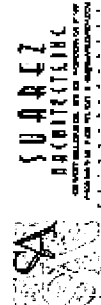
LANDSCAPE AREA SUMMARY

AREA	SF
1	707 SF
2	1243 SF
3	1040 SF
4	882 SF
5	337 SF
6	886 SF
7	421 SF
8	90 SF
9	188 SF
10	199 SF
11	15 SF
12	20 SF
13	234 SF
14	488 SF
15	51 SF

TOTAL LANDSCAPE	8748 SF
TOTAL SITE AREA	28,021 SF
LANDSCAPE PERCENTAGE	23%

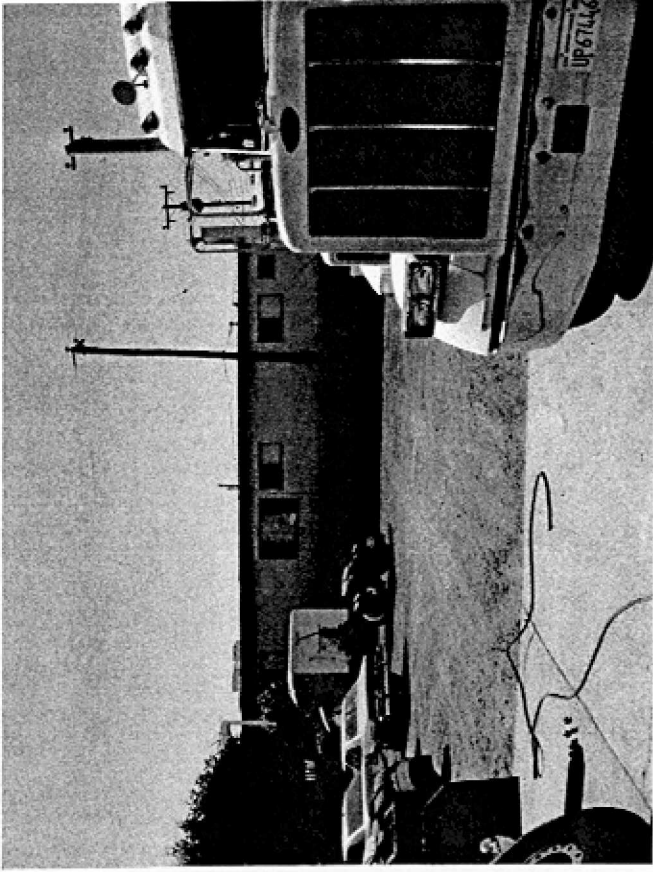
GROUND FLOOR BUILDING AREA

BLDG AREA #1 COVERAGE	5,621 SF
	28,021 SF = 19%
BLDG AREA #2 COVERAGE (NOT INCLUDING BLDG. COVERAGE)	3,240 SF

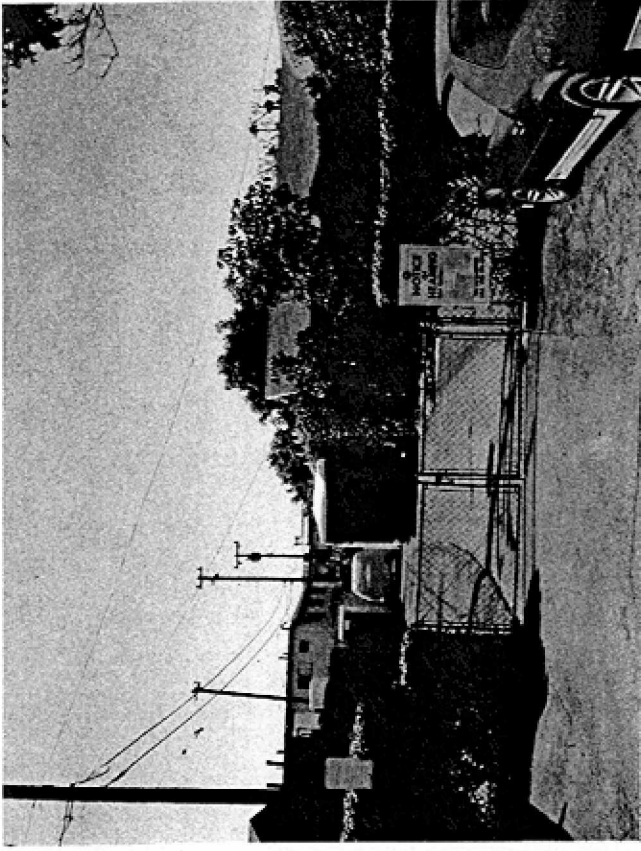


PROPOSED SENIOR RESIDENTIAL DEVELOPMENT

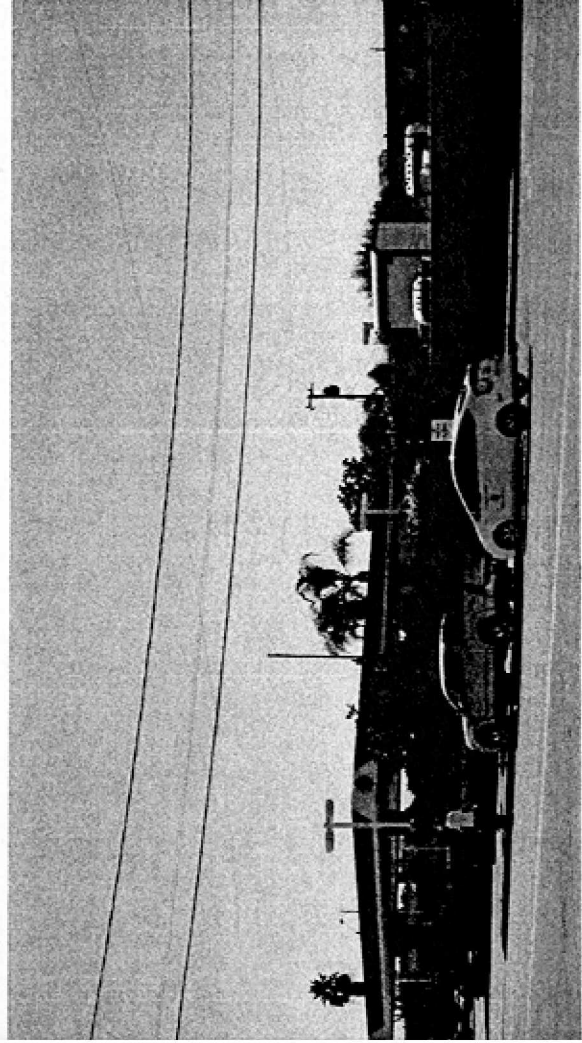
8946-8950 DUARTE RD., SAN GABRIEL, CA



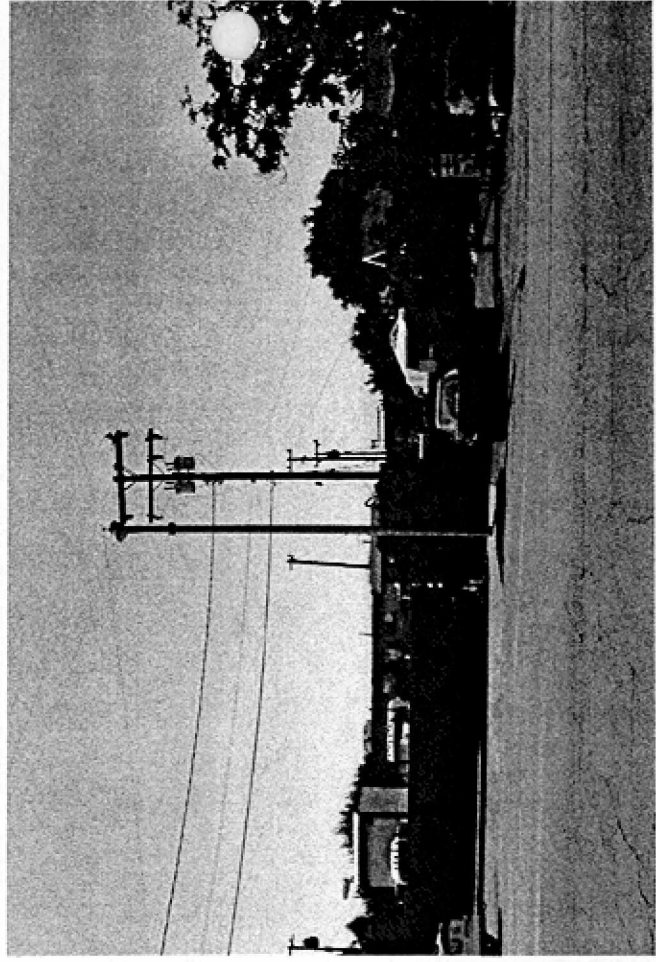
From Duarte Road facing South – existing truck parking lot



From Duarte Road facing South – existing SF dwelling



From Duarte Road facing South – adjacent gas station



From Duarte Road facing South – both parcels